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THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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DATED: 31-08-2005

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WRIT PETITION No.19197 OF 2005

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Between:

G.Ram Babu . . .Petitioner

And

The Commissioner, Disabled Welfare Department

And another . . .Respondents

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WRIT PETITION No.19197 OF 2005

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O R D E R:

The petitioner was employed as a driver in A.P.S.R.T.C. on 21-02-1980. During the course of regular medical inspections, it was found that he suffered disability in eyesight. Therefore, he was not entrusted with the duties of driving. He was kept idle for some time and ultimately, retired from service on 31-07-1997 on the ground that he is unfit to discharge the duties.

The petitioner filed WP.No.6927 of 2000 in this Court with a prayer to direct the

second respondent to provide an alternative employment to him. In the meanwhile, he had approached the first respondent to issue suitable directions under the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, (for short 'the Act'). Through his letter dated 25-05-2004, the first respondent requested the second respondent to consider the feasibility of providing suitable alternative employment to the petitioner. The grievance of the petitioner is that even after receiving the said communication, no steps have been taken by the second respondent.

Heard the learned counsel for the petitioner, the learned Government Pleader for Women and Child Welfare and the learned Standing Counsel appearing for the second respondent.

The Act provides for various measures, to protect the interests of the disabled persons, particularly, in the context of employment. On the application submitted by the petitioner, the first respondent addressed a letter dated 25-05-2004 requesting the second respondent to consider the feasibility of providing suitable alternative employment to the petitioner. The second respondent is required to take necessary action in this regard. Though the letter is worded as though it is a request, it needs to be considered by the second respondent, inasmuch as it purports to give effect to the provisions of the Act.

For the foregoing reasons, the writ petition is disposed of directing the second respondent to take necessary steps and pass appropriate orders in response to the letter dated 25-05-2004 addressed by the first respondent, within a period of two months from the date of receipt of a copy of this order.

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(L.NARASIMHA REDDY, J)

31st AUGUST, 2005.

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